

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SHAW RAHMAN,

Plaintiff,

V.

## CRYSTAL EQUATION, et. al.,

## Defendants.

CASE NO. C13-218-MJP

ORDER GRANTING MOTION TO  
DISMISS FOR LACK OF  
PERSONAL JURISDICTION

This matter comes before the Court on Defendant Miles Muslin's motion to dismiss for lack of personal jurisdiction. (Dkt. No. 48.) Having considered the motion, Plaintiff's responses (Dkt. Nos. 51, 66), the reply (Dkt. No. 65), and all related papers, the Court GRANTS the motion and dismisses Mr. Muslin from the case.

## Background

Plaintiff Shaw Rahman sues his former employer, Crystal Equation, alleging discrimination. He also sued Miles Muslin, an employee of Crystal Equation. Mr. Muslin is a

1 resident of the state of Illinois, where he lives and works. (Dkt. No. 49 at 1.) Mr. Muslin does  
 2 not own any property in Washington nor has he conducted business in Washington. (Id.)  
 3 Plaintiff's factual allegations against Mr. Muslin are limited in scope. Mr. Muslin is a recruiter  
 4 for Crystal Equation and spoke with Plaintiff regarding employment with Crystal Equation.  
 5 Crystal Equation provides contact services to Defendant AT&T. Plaintiff also alleges, Mr.  
 6 Muslin arranged his July 2011 travel to Atlanta, Georgia for work. (Dkt. No. 1-2 at 15.)  
 7 Plaintiff stayed in the Marriott Hotel in room 911. (Id.) Plaintiff alleges his placement in that  
 8 room number was discriminatory. (Id.)

9 Defendant Mr. Muslin moves to dismiss the complaint for lack of personal jurisdiction.  
 10 (Dkt. No. 48.)

11 **Analysis**

12 Mr. Muslin contends that the Court cannot assert personal jurisdiction over him because  
 13 the contacts he has to Washington and Plaintiff are simply too attenuated to satisfy due process.  
 14 (Dkt. No. 48.) Plaintiff concedes the Court lacks general jurisdiction over Mr. Muslin, but  
 15 asserts the contractual relationship between Crystal Equation and AT&T as well as his direct  
 16 contact with Plaintiff provide the basis for finding specific jurisdiction. (Dkt. No. 51.)

17 In order for the Court to exercise jurisdiction over a non-resident under Washington law  
 18 and the federal Due Process Clause, plaintiff must show that each defendant had "certain  
 19 minimum contacts with [Washington] such that the maintenance of the suit does not offend  
 20 traditional notions of fair play and substantial justice." Int'l Shoe Co. v. Washington, 326 U.S.  
 21 310, 316 (1945). In the Ninth Circuit, a three-part test is used to determine whether the  
 22 circumstances giving rise to the litigation provide sufficient forum-related contacts to justify the  
 23 exercise of personal jurisdiction:

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2 (1) [t]he non-resident defendant must purposefully direct his activities or  
 3 consummate some transaction with the forum or resident thereof; or perform  
 4 some act by which he purposefully avails himself of the privilege of conducting  
 5 activities in the forum, thereby invoking the benefits and protections of its laws;

6 (2) the claim must be one which arises out of or relates to the defendant's forum-  
 7 related activities; and

8 (3) the exercise of jurisdiction must comport with fair play and substantial justice,  
 9 i.e., it must be reasonable.

10 Schwarzenegger v. Fred Martin Motor Co., 374 F.3d 797, 802 (9<sup>th</sup> Cir. 2004.) The first  
 11 requirement is intended to ensure that a party has sufficient contacts with the forum state to  
 12 warrant his being haled into court there: “random, fortuitous, or attenuated contacts” are not  
 13 enough to satisfy the constitutional requirements. Ziegler v. Indian Country, 64 F.3d 470, 473  
 14 (9<sup>th</sup> Cir. 1995).

15 Here, the Court finds Plaintiff's claims too attenuated for personal jurisdiction to exist.  
 16 Plaintiff asserts a discrimination claim against Mr. Muslin, a resident of Illinois, who he claims  
 17 (without any specificity) discriminated against him. Even looking to the scant allegation in the  
 18 complaint, one cannot reasonably infer Mr. Muslin could have reasonably anticipated these  
 19 acts—inquiring over the telephone about employment and booking travel arrangements—would  
 20 expose him to liability in Washington. Further, the alleged discrimination experienced by  
 21 Plaintiff occurred in Atlanta, Georgia, where he stayed in room 911. The Court cannot find that  
 22 that plaintiff's discrimination claim arise out of Mr. Muslin's targeting of plaintiff ( i.e., his  
 23 forum-related activities) and that the exercise of jurisdiction in these circumstances comports  
 24 with our traditional notions of fair play and substantial justice. The Court lacks personal  
 jurisdiction over Mr. Muslin and the claims against him must be dismissed.

## Conclusion

3 Because the Court lacks personal jurisdiction over Mr. Muslin, the Court GRANTS the  
4 motion and DISMISSES Plaintiff's claims against him.

The clerk is ordered to provide copies of this order to all counsel.

Dated this 17th day of September, 2013.

Marsha J. Pechman  
Marsha J. Pechman  
Chief United States District Judge